

# Gupta / Wessler

*Issues & Appeals*

December 22, 2017

The Honorable Nicholas G. Garaufis  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Consent motion for leave to file an amicus brief on behalf of SEIU, et al.,  
in *State of New York, et al. v. Donald Trump, et al.*, 1:17-cv-05228-NGG-JO

Dear Judge Garaufis:

I respectfully seek this Court's leave to file an amicus brief in support of the plaintiffs' motion for preliminary injunction in this case. Proposed amici have conferred with the plaintiffs and the Department of Justice, which represents the defendants in this case. All of the parties consent to the motion for leave to file an amicus brief.

Amici are five labor unions: Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), the Communications Workers of America (CWA), United Farm Workers of America (UFW), and International Union of Painters and Allied Trades (IUPAT). They represent workers who would be negatively affected by the termination of the Deferred Action for Childhood Arrivals program (DACA). Amici have a special interest in illustrating to the Court the consequences that rescinding DACA will have on labor workers and their families, many of which include U.S.-citizen children, as well as on U.S. employers more broadly.

**Service Employees International Union (SEIU)** is a labor organization of approximately two million working men and women in the United States and Canada. SEIU's members include foreign-born U.S. citizens, lawful permanent residents, and undocumented immigrants authorized to work in the United States. Many of SEIU's members have mixed-status families. As described below, SEIU members will be directly affected by the termination of DACA.

**American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME)**, is a union of 1.6 million members in the United States and Puerto Rico, both in the public and private sectors, who share a commitment to service. AFSCME is participating in this case to advance its mission of helping all working people, including immigrants and people of color, achieve the American dream regardless of their identity. AFSCME is proud to represent members who came to the United States as children and who are contributing to our communities, states and country. The public servants of AFSCME, and indeed all Americans, deserve better.

The **Communications Workers of America, AFL-CIO (CWA)**, is an international labor union representing more than 700,000 workers in the telecommunications, media, manufacturing, airlines, and health care industries and in a wide variety of public sector positions in the United States, Canada, and Puerto Rico. CWA represents and advocates on behalf of workers with respect to workplace rights and broader political and civil rights. As part of this mission, CWA

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has supported fair, humane, comprehensive immigration reform, as programs like Deferred Action for Childhood Arrival affect CWA members' communities and the lives and welfare of fellow workers.

**United Farm Workers of America (UFW)** represents thousands of migrant and seasonal farmworkers in various agricultural occupations throughout the country and has members of diverse racial, ethnic, and immigration backgrounds throughout the United States. UFW seeks to improve the lives, wages, and working conditions of agricultural workers and their families through collective bargaining, worker education, state and federal legislation, and through public campaigns. UFW's members include foreign-born U.S. citizens, lawful permanent residents, immigrants authorized to work in the United States, and undocumented immigrants. Many of UFW's members have mixed-status families, and many farmworkers have children who qualify and would qualify as DREAMers under DACA. UFW's members will be directly affected by the termination of DACA.

The **International Union of Painters and Allied Trades (IUPAT)** is a labor organization comprised of approximately 140,000 members. Our members work as commercial and industrial painters, glaziers, drywall finishers, floor coverers, trade show workers and in many other occupations. IUPAT welcomes any person who does the work we do. Our members are of many races, practice many religions, were born in many countries, speak many languages and have different political views. They include beneficiaries of DACA and citizens or lawful permanent residents whose family members benefit from DACA. They, and many other members, will be directly affected by the termination of DACA.

For the foregoing reasons, prospective *amici* request leave to file an amicus brief.

Respectfully,

/s/ Deepak Gupta

Deepak Gupta (*pro hac vice* pending)  
*Counsel for Proposed Amici Curiae*

CC: All Counsel of Record (via ECF)